

## REMARKS

In the Office Action dated September 22, 2004, the Examiner rejected claims 1-5, 7, and 13-18 under 35 U.S.C. § 102(b) as being anticipated by Boschen (U.S. 3,822,663), and objected to claims 6, 8-12, and 19-20 as being allowable if rewritten to include all of the limitations of their respective base and intervening claims. Applicant respectfully requests reconsideration in view of the foregoing amendments and the following remarks.

In one embodiment, Applicant teaches a submersible vehicle adapted to operate within a fluid medium, comprising *an enclosed, substantially fluid-tight hull surrounding an interior region* and having an external surface including a non-planar portion, the hull further having a channel formed at least partially within the non-planar portion, *the channel being at least partially disposed below an upper surface of the fluid medium during operation of the submersible vehicle within the fluid medium*. A sliding member is disposed within the channel and moveable along at least a portion of the channel, and a mounting assembly is attached to the sliding member and including an engagement member coupled to the sliding member, the engagement member being moveable between a first position wherein the sliding member is moveable within the channel and a second position wherein the sliding member is secured in a fixed position within the channel.

### Boschen (U.S. 3,822,663)

Boschen teaches a method and apparatus for mooring floating vessels. As best shown in Figure 1, Boschen teaches a ship having a hull 3 that includes a channel track 5. The channel track 5 is disposed above the waterline, or more specifically, between a Plimsoll line 6 and a top edge of the hull 3. (3:63-66). In operation, carriages 7 are moveably disposed within the channel track 5 and are attached to anchor lines 8-11 for mooring the ship in a desired position.

25315

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- 6 -

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Boschen does not disclose, teach, or fairly suggest the submersible vehicle taught by Applicants. Specifically, Boschen fails to teach or fairly suggest a submersible vehicle that includes *an enclosed, substantially fluid-tight hull surrounding an interior region* and having an external surface including a non-planar portion, the hull further having a channel formed at least partially within the non-planar portion, *the channel being at least partially disposed below an upper surface of the fluid medium during operation of the submersible vehicle within the fluid medium*. On the contrary, Boschen teaches a non-submersible surface vessel having a hull that is not enclosed and substantially fluid-tight. Also, according to Boschen, the channel track 5 is disposed above the waterline, or more specifically, between a Plimsoll line 6 and a top edge of the hull 3. (3:63-66). There is no teaching or suggestion in Boschen of an enclosed, substantially fluid-tight hull, or of a channel disposed in the hull at least partially disposed below an upper surface of the fluid medium during operation of the submersible vehicle within the fluid medium, as disclosed by Applicants. Indeed, neither Boschen or any other prior art teaches or suggests the novel submersible vehicle apparatus as disclosed by Applicants.

For the foregoing reason, Applicants respectfully request reconsideration and withdrawal of the rejections of claims 1-5, 7, and 13-18 under 35 U.S.C. § 102(b) as being anticipated by Boschen.

25315

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## CONCLUSION

Based on the foregoing amendments and remarks, Applicant respectfully requests reconsideration of the pending rejections and allowance of Claims 1-20. If there are any remaining matters that may be handled by telephone conference, the Examiner is kindly requested to telephone the undersigned at his convenience.

Respectfully submitted,

BLACK LOWE & GRAHAM<sup>PLLC</sup>



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## MAIL CERTIFICATE

I hereby certify that this communication is being deposited with the United States Postal Service via first class mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

October 12, 2001

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- 8 -

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